

LISTING OF CLAIMS INCLUDING CURRENT AMENDMENTS

This claim listing will replace all prior versions, and listings, of claims in the application:

Claims 1-2 (canceled)

Claim 3 (currently amended): An isolated polynucleotide encoding ~~a polypeptide of claim 1~~ an isolated polypeptide comprising an amino acid sequence selected from the group consisting of:

- a) the amino acid sequence of SEQ ID NO:8, and
- b) a naturally occurring amino acid sequence having at least 90% sequence identity to the amino acid sequence of SEQ ID NO:8.

Claim 4 (currently amended): An isolated polynucleotide ~~encoding a polypeptide of claim 2~~ of claim 3, wherein said polynucleotide encodes an isolated polypeptide comprising the amino acid sequence of SEQ ID NO:8.

Claim 5 (currently amended): An isolated polynucleotide of claim 4 ~~selected from the group consisting of SEQ ID NO:23, SEQ ID NO:24, SEQ ID NO:25, SEQ ID NO:26, SEQ ID NO:27, SEQ ID NO:28, SEQ ID NO:29, SEQ ID NO:30, SEQ ID NO:31, SEQ ID NO:32, SEQ ID NO:33, SEQ ID NO:34, SEQ ID NO:36, SEQ ID NO:37, SEQ ID NO:38, SEQ ID NO:39, SEQ ID NO:40, SEQ ID NO:41, SEQ ID NO:42, and SEQ ID NO:44~~ comprising SEQ ID NO:30.

Claim 6 (original): A recombinant polynucleotide comprising a promoter sequence operably linked to a polynucleotide of claim 3.

Claim 7 (original): A cell transformed with a recombinant polynucleotide of claim 6.

Claim 8 (canceled)

Claim 9 (currently amended): A method for producing ~~a polypeptide of claim 1~~ an isolated polypeptide comprising an amino acid sequence selected from the group consisting of:

- a) the amino acid sequence of SEQ ID NO:8, and
- b) a naturally occurring amino acid sequence having at least 90% sequence identity to the amino acid sequence of SEQ ID NO:8,

the method comprising:

- a i) culturing a cell under conditions suitable for expression of the polypeptide, wherein said cell is transformed with a recombinant polynucleotide, and said recombinant polynucleotide comprises a promoter sequence operably linked to a polynucleotide [encoding the polypeptide of claim 1] of claim 3,

and

- b ii) recovering the polypeptide so expressed.

Claim 10 (canceled)

Claim 11 (currently amended): An isolated polynucleotide comprising a polynucleotide sequence selected from the group consisting of:

- a) a polynucleotide sequence ~~selected from the group consisting of SEQ ID NO:23, SEQ ID NO:24, SEQ ID NO:25, SEQ ID NO:26, SEQ ID NO:27, SEQ ID NO:28, SEQ ID NO:29, SEQ ID NO:30, SEQ ID NO:31, SEQ ID NO:32, SEQ ID NO:33, SEQ ID NO:34, SEQ ID NO:36, SEQ ID NO:37, SEQ ID NO:38, SEQ ID NO:39, SEQ ID NO:40, SEQ ID NO:41, SEQ ID NO:42, and SEQ ID NO:44~~ comprising SEQ ID NO:30,
- b) a naturally occurring polynucleotide sequence having at least 70% sequence identity to

a polynucleotide sequence selected from the group consisting of ~~SEQ ID NO:23, SEQ ID NO:24, SEQ ID NO:25, SEQ ID NO:26, SEQ ID NO:27, SEQ ID NO:28, SEQ ID NO:29, SEQ ID NO:30, SEQ ID NO:31, SEQ ID NO:32, SEQ ID NO:33, SEQ ID NO:34, SEQ ID NO:36, SEQ ID NO:37, SEQ ID NO:38, SEQ ID NO:39, SEQ ID NO:40, SEQ ID NO:41, SEQ ID NO:42, and SEQ ID NO:44~~ comprising SEQ ID NO:30,

- c) a polynucleotide sequence complementary to a),
- d) a polynucleotide sequence complementary to b), and
- e) an RNA equivalent of a)-d).

Claim 12 (canceled)

Claim 13 (original) and (withdrawn): A method for detecting a target polynucleotide in a sample, said target polynucleotide having a sequence of a polynucleotide of claim 11, the method comprising:

- a) hybridizing the sample with a probe comprising at least 20 contiguous nucleotides comprising a sequence complementary to said target polynucleotide in the sample, and which probe specifically hybridizes to said target polynucleotide, under conditions whereby a hybridization complex is formed between said probe and said target polynucleotide or fragments thereof, and
- b) detecting the presence or absence of said hybridization complex, and, optionally, if present, the amount thereof.

Claim 14 (canceled)

Claim 15 (original) and (withdrawn): A method for detecting a target polynucleotide in a sample, said target polynucleotide having a sequence of a polynucleotide of claim 11, the method

comprising:

- a) amplifying said target polynucleotide or fragment thereof using polymerase chain reaction amplification, and
- b) detecting the presence or absence of said amplified target polynucleotide or fragment thereof, and, optionally, if present, the amount thereof.

Claims 16-27 (Canceled)

Claim 28 (original) and (withdrawn) A method for assessing toxicity of a test compound, said method comprising:

- a) treating a biological sample containing nucleic acids with the test compound;
- b) hybridizing the nucleic acids of the treated biological sample with a probe comprising at least 20 contiguous nucleotides of a polynucleotide of claim 11 under conditions whereby a specific hybridization complex is formed between said probe and a target polynucleotide in the biological sample, said target polynucleotide comprising a polynucleotide sequence of a polynucleotide of claim 11 or fragment thereof;
- c) quantifying the amount of hybridization complex; and
- d) comparing the amount of hybridization complex in the treated biological sample with the amount of hybridization complex in an untreated biological sample, wherein a difference in the amount of hybridization complex in the treated biological sample is indicative of toxicity of the test compound.